



dfw 2643

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Ronald A. KATZ

Serial No.: 09/881,393

Filed: June 13, 2001

For: VOICE-DATA TELEPHONIC  
INTERFACE CONTROL SYSTEM

)  
) **Group Art Unit: 2643**

)  
) **Examiner: S. Woo**

)  
) **Notice received:**

)  
) October 18, 2004

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I. **DOCUMENTS ENCLOSED:**

In response to the **NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**, which was received by the Applicant on October 18, 2004, enclosed are:

- ☒ Before receiving the **NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**, Applicant submitted a Supplemental Amendment & Response to Office Action filed June 18, 2004 in compliance with 37 CFR 1.121 (copy attached). This Supplemental Amendment had proper status identifiers in the claims. Applicant is submitting a newly executed Supplemental Amendment in response to the **NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)** received.
- ☒ A copy of the Notice of Non-Compliant Amendment (37 CFR 1.121).

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 15, 2004  
Date of Deposit

Reena Kuyper

Name of Person Mailing Paper

Signature of Person Mailing Paper

09881393

12/21/2004 EABUBAK1 00000017 501636

01 FC:1251 120.00 DA

**II. REQUEST FOR EXTENSION OF TIME:**

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input checked="" type="checkbox"/> one month	\$60.00	\$120.00
<input type="checkbox"/> two months	\$225.00	\$450.00
<input type="checkbox"/> three months	\$510.00	\$1,020.00
<input type="checkbox"/> four months	\$795.00	\$1,590.00
<input type="checkbox"/> five months	\$1,080.00	\$2,160.00
	<b>Fee</b>	<b>\$120.00</b>

- ☐ No extension fee is required. If any extension fee is required, please consider this a petition therefor.

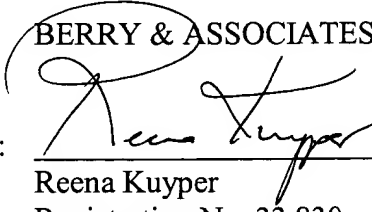
**III. METHOD OF PAYMENT OF FEES:**

- ☐ A check in the amount of \_\_\_\_\_ is enclosed to cover the above fee(s).
- ☒ Please charge our Deposit Account No. **50-1636** in the amount of \$120.00 to cover the above fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. **50-1636**.

Respectfully submitted,

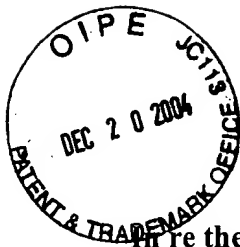
BERRY & ASSOCIATES P.C.

By:

  
Reena Kuyper  
Registration No. 33,830

Dated: December 15, 2004

9255 Sunset Blvd., Suite 810  
Los Angeles, California 90069  
(310) 247-8191



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Ronald A. KATZ

Serial No.: 09/881,393

Filed: June 13, 2001

For: VOICE-DATA TELEPHONIC  
INTERFACE CONTROL SYSTEM

) Group Art Unit: 2643

) Examiner: S. Woo

) Office Action mailed: Dec. 11, 2003  
) (reply to Notice dated Oct. 18, 2004)

) Attorney Docket No.: 6646-114N9

) Customer No.:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL AMENDMENT & RESPONSE TO OFFICE ACTION SUBMITTED  
IN RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

Dear Sir:

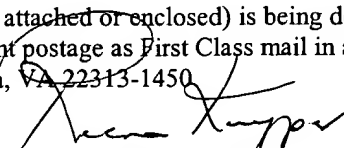
Upon reviewing our file copy of the Amendment and Response to Office Action (dated December 11, 2003), submitted via First Class Mail on June 11, 2004, we had noticed that the claims indicators were non-compliant with the U.S. Patent and Trademark Office's guidelines. In anticipation of receiving a Notice of Non-Compliant Amendment (37 CFR 1.121), the undersigned submitted a Supplemental Amendment with claim indicators that were compliant. However, a Notice of Non-Compliant Amendment dated October 18, 2004, was received since then. In response to that Notice of Non-Compliant Amendment, the undersigned is once again

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CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this document (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 15, 2004

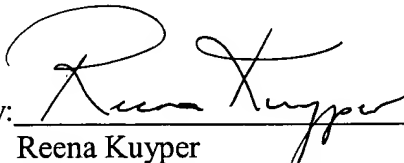
  
Reena Kuyper

Application No.: 09/881,393  
Supplemental Amendment dated: December 15, 2004  
Reply to Office Action of: December 11, 2003

submitting the entire Amendment submitted on June 11, 2004, including claim indicators that are compliant. Since the Notice of Non-Compliant Amendment dated October 18, 2004, an Office Action dated October 22, 2004 was received. Applicant will respond to the Office Action in due course.

Respectfully submitted,

Dated: 12/15/2004

By:   
Reena Kuyper  
Registration No. 33,830

9255 Sunset Boulevard, Suite 810  
Los Angeles, CA 90069  
(310) 247-2860



UNITED STATES PATENT AND TRADEMARK OFFICE

09/08/04

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 6-1804 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: PREVIOUSLY PRESENTED CLAIMS SHOULD NOT BE MARKED-UP.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and **this ONE MONTH time limit is not extendable.**

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

703 205 9630  
Legal Instruments Examiner (LIE)

Telephone No.